

EXHIBIT A

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and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S OBJECTIONS
AND RESPONSES TO WAYMO'S
REQUESTS FOR PRODUCTION
RELATING TO ISSUES IN JACOBS
LETTER (NOS. 1-40)**

Trial Date: February 5, 2018

1 In accordance with Rules 26 and 34 of the Federal Rules of Civil Procedure, and pursuant
 2 to the orders of the Court, Defendants Uber Technologies, Inc. and Ottomotto LLC (collectively
 3 “Defendants”) object and respond to Plaintiff Waymo LLC’s (“Plaintiff”) Requests for
 4 Production to Defendants Relating to Issues in Jacobs Letter, served at 10:55 p.m.
 5 November 30, 2017 (as appropriate, “Requests for Production,” “Requests,” or “Request”).

6 **GENERAL OBJECTIONS**

7 Defendants make the following general objections (“General Objections”) to each
 8 definition, instruction, and request propounded in Plaintiff’s Requests for Production. These
 9 General Objections are hereby incorporated into each specific response. The assertion of the
 10 same, similar or additional objections or partial responses to the individual requests does not
 11 waive any of Defendants’ General Objections.

12 1. Defendants object to each Request, Definition, or Instruction to the extent it seeks
 13 or purports to impose obligations beyond or inconsistent with those imposed by the Federal Rules
 14 of Civil Procedure, Federal Rules of Evidence, or the applicable rules and orders of this Court.

15 2. Nothing in these responses is an admission by Defendants of the existence,
 16 relevance, or admissibility of any information, for any purpose. Defendants reserve all objections
 17 as to competency, relevance, materiality, privilege, or admissibility related to the use of their
 18 responses and any document or thing identified in their responses as evidence for any purpose
 19 whatsoever in any subsequent proceeding in this action or any other action.

20 3. Defendants object to each Request to the extent that it is overbroad and not
 21 proportional to the needs of the case, considering the importance of the issues in the action, the
 22 amount in controversy, the parties’ relative access to relevant information, the parties’ resources,
 23 the importance of the discovery in resolving the issues, and whether the burden or expense of the
 24 proposed discovery outweighs its likely benefit.

25 4. Defendants object to each Request to the extent it seeks a response from persons or
 26 entities that are not parties to the lawsuit and over whom Defendants have no control. Defendants
 27 respond to the Requests on Defendants’ own behalf.
 28

1 5. To the extent any Request, Instruction, or Definition may be construed as calling
2 for disclosure of information subject to the attorney-client privilege, work product immunity,
3 joint defense or common interest, or any other applicable privilege or protection, Defendants
4 hereby claim such privileges and immunities and object on such grounds. Defendants do not
5 waive, intentionally or otherwise, any attorney-client privilege, work-product immunity, joint
6 defense or common-interest privilege or any other privilege, immunity, or other protection that
7 may be asserted to protect information from disclosure.

8 8. Defendants object to the Requests to the extent that they are compound, complex
9 and contain multiple subparts.

10 9. Defendants object to the definitions of “WAYMO” and “GOOGLE” as overbroad,
11 vague, and ambiguous because Defendants do not know, for example, all “current and former
12 employees, counsel, agents, consultants, representatives, and any other persons acting on behalf
13 of” each entity.

14 10. Defendants object to the definition of “UBER” as overbroad, circular, and
15 indecipherable in purporting to include all “officers, directors, current and former employees,
16 counsel, agents, consultants, representatives, and any other persons acting on behalf of any of the
17 foregoing,” and all “affiliates, parents, divisions, joint ventures, licensees, franchisees, assigns,
18 predecessors and successors in interest, and any other legal entities, whether foreign or domestic,
19 that are owned or controlled by UBER, and all predecessors and successors interest to such
20 entities, and any entity owned in whole or in part by, affiliated with, or controlled in whole or in
21 part by UBER.” Uber responds to these Requests on its own behalf.

22 11. Defendants object to the definition of “OTTOMOTTO” as overbroad, circular, and
23 indecipherable in purporting to include all “officers, directors, current and former employees,
24 counsel, agents, consultants, representatives, and any other persons acting on behalf of any of the
25 foregoing,” and all “affiliates, parents, divisions, joint ventures, licensees, franchisees, assigns,
26 predecessors and successors in interest, and any other legal entities, whether foreign or domestic,
27 that are owned or controlled by OTTOMOTTO, and all predecessors and successors interest to
28 such entities, and any entity owned in whole or in part by, affiliated with, or controlled in whole

1 or in part by OTTOMOTTO.” Ottomotto responds to these Requests on its own behalf.

2 12. Defendants object to the definitions of “DOCUMENTS” AND
3 “COMMUNICATIONS” to the extent they are overbroad, not reasonably particularized, and seek
4 or purport to impose obligations beyond or inconsistent with those imposed by the Federal Rules
5 of Civil Procedure, Federal Rules of Evidence, or the applicable rules and orders of this Court,
6 including in seeking material that is not reasonably accessible.

7 13. Defendants object to the definitions of “REGARDING” as overbroad and not
8 reasonably particularized.

9 14. Defendants object to Instruction No. 1 as overbroad, unduly burdensome, and not
10 proportional to the needs of the case to the extent it purports to impose duties greater than those
11 set forth in the Federal Rules and the Court’s orders, including to the extent it purports to require
12 the production of documents or information not in the Defendants’ possession, custody, or
13 control.

14 15. Defendants object to Instruction Nos. 2 and 4 through 7 as overbroad, unduly
15 burdensome, and not proportional to the needs of the case to the extent they purport to impose
16 duties greater than those set forth in the Federal Rules and the Court’s orders.

17 16. Defendants object to Instruction No. 8 as overbroad, unduly burdensome, and not
18 proportional to the needs of the case to the extent it purports to impose duties greater than those
19 set forth in the Federal Rules and the Court’s orders.

20 17. Defendants object to Instruction No. 9 as overbroad, unduly burdensome, and not
21 proportional to the needs of the case to the extent it purports to impose duties greater than those
22 set forth in the Court’s Supplemental Order and the Federal Rules of Civil Procedure.

23 18. Defendants object to “definition” nos. 14-17 because they violate the rules of
24 grammar and create nonsensical and unintelligible Requests. Defendants will respond to each
25 Request by applying the normal rules of grammar and generally-accepted meanings of undefined
26 terms.

27 Subject to without waiving its General Objections, Defendants object and respond to the
28 Requests as follow:

SPECIFIC OBJECTIONS AND RESPONSES

REQUEST FOR PRODUCTION NO. 1:

All DOCUMENTS and COMMUNICATIONS REGARDING the following subject matters described in the JACOBS LETTER:

- a. Richard Jacobs advocated for a secure and encrypted centralized database to ensure confidentiality and recordkeeping but provide access to intelligence for Threat Operations personnel;
- b. UBER has efforts to evade current and future discovery requests, court orders, and government investigations;
- c. Craig Clark devised training and provided advice intended to impede, obstruct, or influence the investigation of lawsuits against UBER and in relation to or contemplation of other matters within the jurisdiction of the United States;
- d. UBER conceals, covers-up and falsifies records through the abuse of attorney-client privilege designations;
- e. UBER's use of HUMINT data gathering;
- f. UBER's alteration of software on competitors' systems;
- g. UBER's acquisition of competitors' trade secrets, codebase, and competitive intelligence.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and

not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects described in the JACOBS LETTER that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request to the extent it mischaracterizes the allegations in the JACOBS LETTER. Defendants further object to this Request to the extent it seeks documents that are protected by the right of privacy under the California Constitution, United States Constitution, or other applicable law. Defendants further object to this Request to the extent it seeks information not within Defendants’ possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 2:

All DOCUMENTS or COMMUNICATIONS regarding the JACOBS LETTER, including but not limited to DOCUMENTS or COMMUNICATIONS regarding Travis Kalanick’s, Salle Yoo’s, Angella Padilla’s, Aaron Bergstrom’s, Nicole Bartow’s, Bill Gurley’s, Bill Gurley’s counsel’s, Matt Cohler’s, Matt Cohler’s counsel, David Bonderman’s, David Bonderman’s counsel’s, David Trujillo’s, David Trujillo’s counsel’s, Ariana Huffington’s, and Ariana Huffington’s counsel’s, UBER Board of Directors’ or individual Directors’, or the corporate lawyers for the Board of Directors’, knowledge of and discussions regarding the JACOBS LETTER.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects described in the JACOBS LETTER that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request to the extent it seeks documents that are protected by the right of privacy under the California Constitution, United States Constitution, or other applicable law. Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business, including to the extent it purports to require production from Board members or committees or their counsel. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage.

REQUEST FOR PRODUCTION NO. 3:

All DOCUMENTS or COMMUNICATIONS regarding UBER's decision not to produce the JACOBS LETTER in THIS CASE, including but not limited to the UBER Board of Directors' or individual Directors' knowledge of and discussions regarding whether to produce the JACOBS LETTER and Travis Kalanick's, Salle Yoo's, Angella Padilla's, Aaron Bergstrom's, Nicole Bartow's, Bill Gurley's, Bill Gurley's counsel's, Matt Cohler's, Matt Cohler's counsel, David Bonderman's, David Bonderman's counsel's, David Trujillo's, David Trujillo's counsel's, Ariana Huffington's, Ariana Huffington's counsel's, UBER Board of Directors' or individual

1 Directors', or the corporate lawyers for the Board of Directors', knowledge of and discussions
2 regarding whether to produce the JACOBS LETTER.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist,
5 regarding knowledge of the Jacobs Letter and any discussions regarding whether to produce it (if
6 any took place), within the custody, possession, or control of Defendants located through a
7 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental
8 discovery.

9 Defendants object that this Request is argumentative and based on a false factual predicate
10 – that Uber made a decision not to produce the Jacobs Letter in this action. Defendants further
11 object that they were provided only six business days to identify, collect, and produce documents
12 responsive to Waymo's forty broad document requests. Any production that is made and all
13 searches performed are limited to what is possible to do in such a short amount of time.

14 Defendants further object to this Request to the extent that it seeks information protected by the
15 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected
16 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not
17 proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
18 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
19 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
20 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.

21 Defendants further object to this Request to the extent it seeks information not within Defendants'
22 possession, custody, or control and not kept by Defendants in the ordinary course of business,
23 including to the extent it purports to require production from Board members or committees or
24 their counsel. Defendants further object to this Request insofar as it purports to require
25 Defendants to search for information beyond that which is available after a reasonable search as it
26 relates to this case and the scope of discovery at this stage.

REQUEST FOR PRODUCTION NO. 4:

All DOCUMENTS regarding any consulting service(s) Richard Jacobs provided to UBER or any person or entity acting on UBER'S behalf since he left UBER's employment.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as confusing and vague, specifically the phrase "any person or entity acting on UBER'S behalf." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage.

REQUEST FOR PRODUCTION NO. 5:

All DOCUMENTS and COMMUNICATIONS relating to any investigation undertaken by UBER or any person or entity acting on UBER'S behalf into any of the allegations in the JACOBS LETTER, including but not limited to any reports made to UBER and/or its Board of

1 Directors or committees of the Board of Directors, and the factual materials on which any such
2 reports are based.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist
5 and pertain to the allegations in the Jacobs Letter regarding use of non-attributable devices,
6 ephemeral communications, Waymo's trade secrets or other confidential information, the Uber-
7 Otto acquisition, Uber's document retention policies, and the use of attorney client and work
8 product privileges, within the custody, possession, or control of Defendants located through a
9 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental
10 discovery.

11 Defendants object that they were provided only six business days to identify, collect, and
12 produce documents responsive to Waymo's forty broad document requests. Any production that
13 is made and all searches performed are limited to what is possible to do in such a short amount of
14 time. Defendants further object to this Request to the extent that it seeks information protected by
15 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
16 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
17 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
18 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
19 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
20 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret
21 misappropriation at issue in this case. Defendants further object to this Request as confusing and
22 vague, specifically the phrases "any person or entity acting on UBER'S behalf" and "the factual
23 materials on which any such reports are based." Defendants further object to this Request to the
24 extent it seeks documents that are protected by the right of privacy under the California
25 Constitution, United States Constitution, or other applicable law. Defendants further object to
26 this Request to the extent it seeks information not within Defendants' possession, custody, or
27 control and not kept by Defendants in the ordinary course of business, including to the extent it
28 purports to require production from Board members or committees or their counsel. Defendants

1 further object to this Request insofar as it purports to require Defendants to search for information
2 beyond that which is available after a reasonable search as it relates to this case and the scope of
3 discovery at this stage.

4 **REQUEST FOR PRODUCTION NO. 6:**

5 All DOCUMENTS and COMMUNICATIONS REGARDING COMMUNICATIONS
6 from or to or with Richard Jacobs or anyone acting on his behalf in relation to any of the issues
7 described in the JACOBS LETTER either before or after his employment at UBER ended.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

9 Defendants will produce responsive, non-privileged documents from or to or with Richard
10 Jacobs that pertain to the allegations in the Jacobs Letter regarding use of non-attributable
11 devices, ephemeral communications, Waymo's trade secrets or other confidential information, the
12 Uber-Otto acquisition, Uber's document retention policies, and the use of attorney client and
13 work product privileges, to the extent they exist, within the custody, possession, or control of
14 Defendants located through a reasonably diligent search in view of the extraordinarily expedited
15 schedule for supplemental discovery.

16 Defendants object that they were provided only six business days to identify, collect, and
17 produce documents responsive to Waymo's forty broad document requests. Any production that
18 is made and all searches performed are limited to what is possible to do in such a short amount of
19 time. Defendants further object to this Request to the extent that it seeks information protected by
20 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
21 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
22 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
23 COMMUNICATIONS REGARDING COMMUNICATIONS. Defendants further object to this
24 Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it
25 seeks documents relating to subjects described in the JACOBS LETTER that have nothing to do
26 with the allegations of trade secret misappropriation at issue in this case. Defendants further
27 object to this Request as confusing and vague, specifically the phrase "anyone acting on [Richard
28 Jacobs'] behalf" and "in relation to any of the issues." Defendants further object to this Request

1 to the extent it seeks information not within Defendants' possession, custody, or control and not
2 kept by Defendants in the ordinary course of business. Defendants further object to this Request
3 insofar as it purports to require Defendants to search for information beyond that which is
4 available after a reasonable search as it relates to this case and the scope of discovery at this stage.

5 **REQUEST FOR PRODUCTION NO. 7:**

6 All COMMUNICATIONS with UBER employees or former employees in which the
7 employees or former employees raised concerns about issues discussed in the JACOBS LETTER.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

9 Defendants will produce responsive, non-privileged documents, to the extent they exist
10 and pertain to the allegations in the Jacobs Letter regarding use of non-attributable devices,
11 ephemeral communications, Waymo's trade secrets or other confidential information, the Uber-
12 Otto acquisition, Uber's document retention policies, and the use of attorney client and work
13 product privileges, within the custody, possession, or control of Defendants located through a
14 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental
15 discovery.

16 Defendants object that they were provided only six business days to identify, collect, and
17 produce documents responsive to Waymo's forty broad document requests. Any production that
18 is made and all searches performed are limited to what is possible to do in such a short amount of
19 time. Defendants further object to this Request to the extent that it seeks information protected by
20 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
21 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
22 not proportional to the needs of the case to the extent that it seeks "all" COMMUNICATIONS.
23 Defendants further object to this Request as irrelevant, overbroad, and not proportional to the
24 needs of the case to the extent that it seeks documents relating to subjects described in the
25 JACOBS LETTER that have nothing to do with the allegations of trade secret misappropriation at
26 issue in this case. Defendants further object to this Request as confusing and vague, specifically
27 the phrases "raised concerns" and "issues discussed." Defendants further object to this Request to
28 the extent it seeks documents that are protected by the right of privacy under the California

1 Constitution, United States Constitution, or other applicable law. Defendants further object to
2 this Request to the extent it seeks information not within Defendants' possession, custody, or
3 control and not kept by Defendants in the ordinary course of business. Defendants further object
4 to this Request insofar as it purports to require Defendants to search for information beyond that
5 which is available after a reasonable search as it relates to this case and the scope of discovery at
6 this stage. Defendants further object to this Request because it is not limited in time, and will
7 produce information from a reasonable time period as it relates to this case and the specific issues
8 that are the focus of this Request.

9 **REQUEST FOR PRODUCTION NO. 8:**

10 All DOCUMENTS and COMMUNICATIONS regarding Richard Jacobs' separation from
11 UBER, including but not limited to any reports made to UBER and/or its Board of Directors or
12 committees of the Board of Directors regarding any misconduct purportedly committed by
13 Richard Jacobs, and the factual materials on which any such reports are based.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

15 Defendants will produce responsive, non-privileged documents, to the extent they exist
16 and pertain to the allegations in the Jacobs Letter regarding use of non-attributable devices,
17 ephemeral communications, Waymo's trade secrets or other confidential information, the Uber-
18 Otto acquisition, Uber's document retention policies, and the use of attorney client and work
19 product privileges, within the custody, possession, or control of Defendants located through a
20 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental
21 discovery.

22 Defendants object that they were provided only six business days to identify, collect, and
23 produce documents responsive to Waymo's forty broad document requests. Any production that
24 is made and all searches performed are limited to what is possible to do in such a short amount of
25 time. Defendants further object to this Request to the extent that it seeks information protected by
26 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
27 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
28 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and

1 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
 2 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
 3 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
 4 Defendants further object to this Request as confusing and vague, specifically the phrase “the
 5 factual materials on which any such reports are based.” Defendants further object to this Request
 6 to the extent it seeks documents that are protected by the right of privacy under the California
 7 Constitution, United States Constitution, or other applicable law. Defendants further object to
 8 this Request to the extent it seeks information not within Defendants’ possession, custody, or
 9 control and not kept by Defendants in the ordinary course of business, including to the extent it
 10 purports to require production from Board members or committees or their counsel. Defendants
 11 further object to this Request insofar as it purports to require Defendants to search for information
 12 beyond that which is available after a reasonable search as it relates to this case and the scope of
 13 discovery at this stage. Defendants further object to this Request because it is not limited in time,
 14 and will produce information from a reasonable time period as it relates to this case and the
 15 specific issues that are the focus of this Request.

16 **REQUEST FOR PRODUCTION NO. 9:**

17 All DOCUMENTS and COMMUNICATIONS regarding Richard Jacobs’ settlement with
 18 UBER, including but not limited to any reports made to UBER and/or its Board of Directors or
 19 committees of the Board of Directors regarding any misconduct purportedly committed by
 20 Richard Jacobs, and the factual materials on which any such reports are based.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

22 Defendants will produce responsive, non-privileged documents, to the extent they exist,
 23 within the custody, possession, or control of Defendants located through a reasonably diligent
 24 search in view of the extraordinarily expedited schedule for supplemental discovery.

25 Defendants object that they were provided only six business days to identify, collect, and
 26 produce documents responsive to Waymo’s forty broad document requests. Any production that
 27 is made and all searches performed are limited to what is possible to do in such a short amount of
 28 time. Defendants further object to this Request to the extent that it seeks information protected by

1 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
2 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
3 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and
4 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
5 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
6 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
7 Defendants further object to this Request as confusing and vague, specifically the phrases “any
8 misconduct purportedly committed by Richard Jacobs,” and “the factual materials on which any
9 such reports are based.” Defendants further object to this Request to the extent it seeks
10 documents that are protected by the right of privacy under the California Constitution, United
11 States Constitution, or other applicable law. Defendants further object to this Request to the
12 extent it seeks information not within Defendants’ possession, custody, or control and not kept by
13 Defendants in the ordinary course of business, including to the extent it purports to require
14 production from Board members or committees or their counsel. Defendants further object to this
15 Request insofar as it purports to require Defendants to search for information beyond that which
16 is available after a reasonable search as it relates to this case and the scope of discovery at this
17 stage. Defendants further object to this Request because it is not limited in time, and will produce
18 information from a reasonable time period as it relates to this case and the specific issues that are
19 the focus of this Request.

20 **REQUEST FOR PRODUCTION NO. 10:**

21 All DOCUMENTS and COMMUNICATIONS REGARDING arbitration proceedings
22 involving WARD SPANGENBERG.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

24 Defendants will produce documents filed in the Spangenberg arbitration and the San
25 Francisco Superior Court case located through a reasonably diligent search in view of the
26 extraordinarily expedited schedule for supplemental discovery.

27 Defendants object that they were provided only six business days to identify, collect, and
28 produce documents responsive to Waymo’s forty broad document requests. Any production that

1 is made and all searches performed are limited to what is possible to do in such a short amount of
 2 time. Defendants further object to this Request to the extent that it seeks information protected by
 3 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
 4 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
 5 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and
 6 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
 7 not proportional to the needs of the case to the extent that it seeks documents that have nothing to
 8 do with the allegations of trade secret misappropriation at issue in this case. Defendants further
 9 object to this Request to the extent it seeks documents that are protected by the right of privacy
 10 under the California Constitution, United States Constitution, or other applicable law. Defendants
 11 further object to this Request to the extent it seeks information not within Defendants’ possession,
 12 custody, or control and not kept by Defendants in the ordinary course of business. Defendants
 13 further object to this Request insofar as it purports to require Defendants to search for information
 14 beyond that which is available after a reasonable search as it relates to this case and the scope of
 15 discovery at this stage.

16 **REQUEST FOR PRODUCTION NO. 11:**

17 All DOCUMENTS and COMMUNICATIONS REGARDING Uber’s firing of two
 18 inhouse attorneys “after they turned to outside attorneys for advice on proposed changes to the
 19 company’s document- and data-retention policy” as reported in
 20 [http://www.corpcounsel.com/topstories/id=1202786179042/Ubears-Firing-of-2-InHouse-Lawyers-](http://www.corpcounsel.com/topstories/id=1202786179042/Ubears-Firing-of-2-InHouse-Lawyers-Raises-Questions-About-Legal-Culture?mcode=1202614998472&curindex=0)
 21 [Raises-Questions-About-Legal-Culture?mcode=1202614998472&curindex=0](http://www.corpcounsel.com/topstories/id=1202786179042/Ubears-Firing-of-2-InHouse-Lawyers-Raises-Questions-About-Legal-Culture?mcode=1202614998472&curindex=0)

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

23 Defendants will produce responsive, non-privileged documents, to the extent they exist,
 24 within the custody, possession, or control of Defendants located through a reasonably diligent
 25 search in view of the extraordinarily expedited schedule for supplemental discovery.

26 Defendants object that they were provided only six business days to identify, collect, and
 27 produce documents responsive to Waymo’s forty broad document requests. Any production that
 28 is made and all searches performed are limited to what is possible to do in such a short amount of

1 time. Defendants further object to this Request to the extent that it seeks information protected by
2 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
3 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
4 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and
5 COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant,
6 overbroad, and not proportional to the needs of the case to the extent that it seeks documents
7 relating to subjects that have nothing to do with the JACOBS LETTER or the allegations of trade
8 secret misappropriation at issue in this case. Defendants further object to this Request to the
9 extent it seeks documents that are protected by the right of privacy under the California
10 Constitution, United States Constitution, or other applicable law. Defendants further object to
11 this Request to the extent it seeks information not within Defendants’ possession, custody, or
12 control and not kept by Defendants in the ordinary course of business. Defendants further object
13 to this Request insofar as it purports to require Defendants to search for information beyond that
14 which is available after a reasonable search as it relates to this case and the scope of discovery at
15 this stage. Defendants further object to this Request because it is not limited in time, and will
16 produce information from a reasonable time period as it relates to this case and the specific issues
17 that are the focus of this Request.

18 **REQUEST FOR PRODUCTION NO. 12:**

19 DOCUMENTS sufficient to identify any anonymous servers used by UBER employees in
20 their work for UBER.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

22 Defendants will produce responsive, non-privileged documents, to the extent they exist,
23 within the custody, possession, or control of Defendants located through a reasonably diligent
24 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient
25 to identify any “anonymous servers” used by Uber ATG, Marketplace Analytics, or Strategic
26 Services Group employees in their work for Uber.

27 Defendants object that they were provided only six business days to identify, collect, and
28 produce documents responsive to Waymo’s forty broad document requests. Any production that

1 is made and all searches performed are limited to what is possible to do in such a short amount of
2 time. Defendants further object to this Request to the extent that it seeks information protected by
3 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
4 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
5 not proportional to the needs of the case to the extent that it seeks documents regarding every
6 Uber employee, which number more than 15,000. Defendants further object to this Request as
7 irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks
8 documents relating to subjects that have nothing to do with the allegations of trade secret
9 misappropriation at issue in this case. Defendants further object to this Request as confusing and
10 vague, specifically the phrase “anonymous servers.” Defendants further object to this Request to
11 the extent it seeks information not within Defendants’ possession, custody, or control and not
12 kept by Defendants in the ordinary course of business. Defendants further object to this Request
13 insofar as it purports to require Defendants to search for information beyond that which is
14 available after a reasonable search as it relates to this case and the scope of discovery at this stage.
15 Defendants further object to this Request because it is not limited in time, and will produce
16 information from a reasonable time period as it relates to this case and the specific issues that are
17 the focus of this Request.

18 **REQUEST FOR PRODUCTION NO. 13:**

19 DOCUMENTS sufficient to identify any anonymous servers accessed by
20 ANTHONY LEVANDOWSKI.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

22 Defendants will produce responsive, non-privileged documents, to the extent they exist,
23 within the custody, possession, or control of Defendants located through a reasonably diligent
24 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient
25 to identify any “anonymous servers” accessed by Anthony Levandowski in his work for
26 Ottomotto or Uber.

27 Defendants object that they were provided only six business days to identify, collect, and
28 produce documents responsive to Waymo’s forty broad document requests. Any production that

1 is made and all searches performed are limited to what is possible to do in such a short amount of
2 time. Defendants further object to this Request to the extent that it seeks information protected by
3 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
4 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
5 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
6 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
7 Defendants further object to this Request as confusing and vague, specifically the phrase
8 “anonymous servers.” Defendants further object to this Request to the extent it requests
9 production of documents outside Defendants’ custody, possession, or control. Defendants further
10 object to this Request insofar as it purports to require Defendants to search for information
11 beyond that which is available after a reasonable search as it relates to this case and the scope of
12 discovery at this stage.

13 **REQUEST FOR PRODUCTION NO. 14:**

14 DOCUMENTS sufficient to identify any anonymous servers accessed by any member of
15 UBER ATG.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

17 Defendants will produce responsive, non-privileged documents, to the extent they exist,
18 within the custody, possession, or control of Defendants located through a reasonably diligent
19 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient
20 to identify any “anonymous servers” accessed by any member of Uber ATG as part of their work
21 for Uber ATG.

22 Defendants object that they were provided only six business days to identify, collect, and
23 produce documents responsive to Waymo’s forty broad document requests. Any production that
24 is made and all searches performed are limited to what is possible to do in such a short amount of
25 time. Defendants further object to this Request to the extent that it seeks information protected by
26 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
27 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
28 not proportional to the needs of the case to the extent that it seeks documents relating to subjects

1 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
2 Defendants further object to this Request as confusing and vague, specifically the phrase
3 “anonymous servers.” Defendants further object to this Request to the extent it seeks information
4 not within Defendants’ possession, custody, or control and not kept by Defendants in the ordinary
5 course of business. Defendants further object to this Request insofar as it purports to require
6 Defendants to search for information beyond that which is available after a reasonable search as it
7 relates to this case and the scope of discovery at this stage. Defendants further object to this
8 Request because it is not limited in time, and will produce information from a reasonable time
9 period as it relates to this case and the specific issues that are the focus of this Request.

10 **REQUEST FOR PRODUCTION NO. 15:**

11 All DOCUMENTS and COMMUNICATIONS regarding the use of anonymous servers
12 by UBER employees in their work for UBER, including but not limited to COMMUNICATIONS
13 with any third parties.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

15 Defendants will produce responsive, non-privileged documents, to the extent they exist,
16 within the custody, possession, or control of Defendants located through a reasonably diligent
17 search in view of the extraordinarily expedited schedule for supplemental discovery regarding the
18 use of “anonymous servers” by Uber ATG, Marketplace Analytics, or Strategic Services Group
19 employees in their work for Uber.

20 Defendants object that they were provided only six business days to identify, collect, and
21 produce documents responsive to Waymo’s forty broad document requests. Any production that
22 is made and all searches performed are limited to what is possible to do in such a short amount of
23 time. Defendants further object to this Request to the extent that it seeks information protected by
24 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
25 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
26 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and
27 COMMUNICATIONS and seeks documents regarding every Uber employee, which number
28 more than 15,000. Defendants further object to this Request as irrelevant, overbroad, and not

1 proportional to the needs of the case to the extent that it seeks documents relating to subjects that
2 have nothing to do with the allegations of trade secret misappropriation at issue in this case.
3 Defendants further object to this Request as confusing and vague, specifically the phrase
4 “anonymous servers.” Defendants further object to this Request to the extent it seeks information
5 not within Defendants’ possession, custody, or control and not kept by Defendants in the ordinary
6 course of business. Defendants further object to this Request insofar as it purports to require
7 Defendants to search for information beyond that which is available after a reasonable search as it
8 relates to this case and the scope of discovery at this stage. Defendants further object to this
9 Request because it is not limited in time, and will produce information from a reasonable time
10 period as it relates to this case and the specific issues that are the focus of this Request.

11 **REQUEST FOR PRODUCTION NO. 16:**

12 All DOCUMENTS and COMMUNICATIONS REGARDING policies, instructions,
13 advice or guidance provided to UBER employees REGARDING the use of anonymous servers.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

15 Defendants will produce responsive, non-privileged documents, to the extent they exist,
16 within the custody, possession, or control of Defendants located through a reasonably diligent
17 search in view of the extraordinarily expedited schedule for supplemental discovery.

18 Defendants object that they were provided only six business days to identify, collect, and
19 produce documents responsive to Waymo’s forty broad document requests. Any production that
20 is made and all searches performed are limited to what is possible to do in such a short amount of
21 time. Defendants further object to this Request to the extent that it seeks information protected by
22 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
23 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
24 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and
25 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
26 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
27 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
28 Defendants further object to this request as being vague and confusing, specifically its use of the

1 undefined terms “anonymous servers” and “advice or guidance.” Defendants further object to
2 this Request to the extent it seeks information not within Defendants’ possession, custody, or
3 control and not kept by Defendants in the ordinary course of business. Defendants further object
4 to this Request insofar as it purports to require Defendants to search for information beyond that
5 which is available after a reasonable search as it relates to this case and the scope of discovery at
6 this stage. Defendants further object to this Request because it is not limited in time, and will
7 produce information from a reasonable time period as it relates to this case and the specific issues
8 that are the focus of this Request.

9 **REQUEST FOR PRODUCTION NO. 17:**

10 All non-attributable devices used by LEVANDOWSKI.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

12 After a reasonably diligent search in view of the extraordinarily expedited schedule for
13 supplemental discovery, Defendants have found no non-attributable devices used by Anthony
14 Levandowski within Defendants’ custody, possession, or control.

15 Defendants object that they were provided only six business days to identify, collect, and
16 produce documents responsive to Waymo’s forty broad document requests. Any production that
17 is made and all searches performed are limited to what is possible to do in such a short amount of
18 time. Defendants further object to this Request to the extent it seeks information not within
19 Defendants’ possession, custody, or control and not kept by Defendants in the ordinary course of
20 business. Defendants further object to this Request as irrelevant, overbroad, and not proportional
21 to the needs of the case because it contains no time limitation. Defendants further object to the
22 use of the undefined terms “non-attributable devices” and “used by” in this Request as vague and
23 confusing. Defendants further object to this Request insofar as it purports to require Defendants
24 to search for information beyond that which is available after a reasonable search as it relates to
25 this case and the scope of discovery at this stage. Defendants further object to this Request
26 because it is not limited in time, and will produce information from a reasonable time period as it
27 relates to this case and the specific issues that are the focus of this Request.
28

1 **REQUEST FOR PRODUCTION NO. 18:**

2 DOCUMENTS sufficient to identify the ephemeral communications systems used by
3 anyone at UBER to communicate with LEVANDOWSKI or Lior Ron at any time.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

5 Defendants respond that they have produced voluminous documents during the course of
6 this litigation, including documents that contain information responsive to this Request. To the
7 extent Defendants locate additional responsive, non-privileged documents within the custody,
8 possession, or control of Defendants located through a reasonably diligent search in view of the
9 extraordinarily expedited schedule for supplemental discovery and sufficient to identify
10 ephemeral communications systems used by any Uber employees to communicate with Anthony
11 Levandowski or Lior Ron, they will produce them.

12 Defendants object that they were provided only six business days to identify, collect, and
13 produce documents responsive to Waymo's forty broad document requests. Any production that
14 is made and all searches performed are limited to what is possible to do in such a short amount of
15 time. Defendants further object to this Request to the extent that it seeks information protected by
16 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
17 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
18 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
19 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
20 Defendants further object to this Request to the extent it seeks information not within Defendants'
21 possession, custody, or control and not kept by Defendants in the ordinary course of business.
22 Defendants further object to this Request insofar as it purports to require Defendants to search for
23 information beyond that which is available after a reasonable search as it relates to this case and
24 the scope of discovery at this stage. Defendants further object to this Request because it is not
25 limited in time, and will produce information from a reasonable time period as it relates to this
26 case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 19:

All DOCUMENTS and COMMUNICATIONS REGARDING the use of virtual machines that wipe clean upon closing the session by UBER employees in their work for UBER, including but not limited to COMMUNICATIONS with any third parties.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants regarding the use of virtual machines that wipe clean upon closing the session by Uber ATG, Marketplace Analytics, or Strategic Services Group employees in their work for Uber, located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as confusing and vague, specifically the undefined term "virtual machines that wipe clean upon closing the session." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will

1 produce information from a reasonable time period as it relates to this case and the specific issues
2 that are the focus of this Request.

3 **REQUEST FOR PRODUCTION NO. 20:**

4 DOCUMENTS sufficient to identify any virtual machines that wipe clean upon closing
5 the session used by UBER employees in their work for UBER.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

7 Defendants will produce responsive, non-privileged documents, to the extent they exist,
8 within the custody, possession, or control of Defendants located through a reasonably diligent
9 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient
10 to identify any virtual machines that wipe clean upon closing the session used by Uber ATG,
11 Marketplace Analytics, or Strategic Services Group employees in their work for Uber.

12 Defendants object that they were provided only six business days to identify, collect, and
13 produce documents responsive to Waymo's forty broad document requests. Any production that
14 is made and all searches performed are limited to what is possible to do in such a short amount of
15 time. Defendants further object to this Request to the extent that it seeks information protected by
16 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
17 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
18 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
19 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
20 Defendants further object to this Request as vague and confusing, specifically the undefined term
21 "virtual machines that wipe clean upon closing the session." Defendants further object to this
22 Request to the extent it seeks information not within Defendants' possession, custody, or control
23 and not kept by Defendants in the ordinary course of business. Defendants further object to this
24 Request insofar as it purports to require Defendants to search for information beyond that which
25 is available after a reasonable search as it relates to this case and the scope of discovery at this
26 stage. Defendants further object to this Request because it is not limited in time, and will produce
27 information from a reasonable time period as it relates to this case and the specific issues that are
28 the focus of this Request.

REQUEST FOR PRODUCTION NO. 21:

DOCUMENTS sufficient to identify any virtual machines that wipe clean upon closing the session accessed or used by LEVANDOWSKI in his work for UBER or OTTOMOTTO.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient to identify any virtual machines that wipe clean upon closing the session accessed or used by Anthony Levandowski in his work for Uber or Ottomotto.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects described in the JACOBS LETTER that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined term "virtual machines that wipe clean upon closing the session." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage.

REQUEST FOR PRODUCTION NO. 22:

DOCUMENTS sufficient to identify any virtual machines that wipe clean upon closing the session used or accessed by any member of UBER ATG in their work for UBER or OTTOMOTTO.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient to identify any virtual machines that wipe clean upon closing the session accessed or used by any member of Uber ATG in their work for Uber or Ottomotto.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined term "virtual machines that wipe clean upon closing the session." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage.

REQUEST FOR PRODUCTION NO. 23:

All DOCUMENTS and COMMUNICATIONS REGARDING policies, instructions, advice, or guidance provided to UBER employees REGARDING methods or strategies to decrease the probability that documents are not discoverable in litigation or government investigations.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

After a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery, Defendants have found no responsive documents.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the JACOBS LETTER or the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing with regard to the undefined terms "guidance or advice," "methods or strategies," and "not discoverable," and unintelligible with regard to meaning of "decrease the probability that documents are not discoverable." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 24:

All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training, instructions, advice, or guidance provided by SSG to UBER ATG, including but not limited to LEVANDOWSKI.

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined terms "instructions, advice, or guidance." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 25:

All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training, instructions, advice, or guidance provided by SI to UBER ATG, including but not limited to LEVANDOWSKI.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined terms "instructions, advice, or guidance." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 26:

All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training, instructions, advice, or guidance provided by MA to UBER ATG, including but not limited to LEVANDOWSKI.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined terms "instructions, advice, or guidance." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 27:

All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training, instructions, advice, or guidance provided by Threat Operations to UBER ATG, including but not limited to LEVANDOWSKI.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined terms "instructions, advice, or guidance." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 28:

All DOCUMENTS and COMMUNICATIONS REGARDING the collection of any competitive intelligence on WAYMO or PROJECT CHAUFFEUR by UBER or any person or entity acting on UBER'S behalf.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Defendants will produce or make available for inspection responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined terms "competitive intelligence" and "any person or entity acting on UBER'S behalf." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 29:

All DOCUMENTS and COMMUNICATIONS REGARDING the acquisition of or attempted acquisition of non-public autonomous vehicle technology of any UBER competitor.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined terms "attempted acquisition," "non-public autonomous vehicle technology," and "UBER competitor." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 30:

All DOCUMENTS and COMMUNICATIONS REGARDING the preservation or deletion of information, including intelligence data, at UBER.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient to show any policies regarding the preservation or deletion of information at Uber.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all DOCUMENTS and COMMUNICATIONS regarding the preservation or deletion of information" at Uber; that is, any information whatsoever, without regard to subject matter or scope, in all of Uber. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically the undefined terms "information" and "intelligence data." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 31:

All DOCUMENTS and COMMUNICATIONS REGARDING any trips made by Jake Nocon, Nick Gicinto, or Ed Russo, or any other member of SSG, SI, or MA, to meet with

1 anyone from UBER ATG, including but not limited to any such trips to Pittsburgh, PA to meet
2 with UBER ATG.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist,
5 within the custody, possession, or control of Defendants located through a reasonably diligent
6 search in view of the extraordinarily expedited schedule for supplemental discovery.

7 Defendants object that they were provided only six business days to identify, collect, and
8 produce documents responsive to Waymo's forty broad document requests. Any production that
9 is made and all searches performed are limited to what is possible to do in such a short amount of
10 time. Defendants further object to this Request to the extent that it seeks information protected by
11 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
12 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
13 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
14 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
15 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
16 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
17 Defendants further object to this Request vague and confusing, specifically the undefined term
18 "trips" and phrase "to meet with." Defendants further object to this Request to the extent it seeks
19 information not within Defendants' possession, custody, or control and not kept by Defendants in
20 the ordinary course of business. Defendants further object to this Request insofar as it purports to
21 require Defendants to search for information beyond that which is available after a reasonable
22 search as it relates to this case and the scope of discovery at this stage. Defendants further object
23 to this Request because it is not limited in time, and will produce information from a reasonable
24 time period as it relates to this case and the specific issues that are the focus of this Request.

25 **REQUEST FOR PRODUCTION NO. 32:**

26 All DOCUMENTS and COMMUNICATIONS REGARDING information exchanged
27 between LEVANDOWSKI or Lior Ron and any person within SSG, SI, or MA, or Threat
28 Operations.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request because it is vague, specifically with its use of the undefined terms "information" and "exchanged." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 33:

All COMMUNICATIONS between Travis Kalanick and any person within SSG, SI, MA, or Threat Operations.

RESPONSE TO REQUEST FOR PRODUCTION NO. 33:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request because it is vague, specifically with its use of the undefined term "any person within SSG, SI, MA, or Threat Operations." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 34:

All DOCUMENTS and COMMUNICATIONS REGARDING SSG's or SI's VOC (virtual operations capability).

RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request as vague and confusing, specifically the undefined terms "virtual operations capability." Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 35:

All DOCUMENTS and COMMUNICATIONS REGARDING any involvement of SSG, SI, MA, or Threat Operations in UBER'S acquisition of OTTOMOTTO, including but not limited to the negotiations between LEVANDOWSKI or Lior Ron and UBER.

RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo's forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks documents relating to subjects that have nothing to do with the allegations of trade secret misappropriation at issue in this case. Defendants further object to this Request as vague and confusing, specifically with its use of the undefined term "involvement of." Defendants further object to this Request to the extent it seeks information not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of business. Defendants further object to this Request insofar as it purports to require Defendants to search for information beyond that which is available after a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants further object to this Request because it is not limited in time, and will produce information from a reasonable time period as it relates to this case and the specific issues that are the focus of this Request.

REQUEST FOR PRODUCTION NO. 36:

All DOCUMENTS and COMMUNICATIONS regarding the creation, purpose, branding, and rebranding of Threat Operations, SSG, SI, and MA.

RESPONSE TO REQUEST FOR PRODUCTION NO. 36:

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent

1 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient
2 to show the creation, purpose, branding, and rebranding of Threat Operations, SSG, SI, and MA.

3 Defendants object that they were provided only six business days to identify, collect, and
4 produce documents responsive to Waymo's forty broad document requests. Any production that
5 is made and all searches performed are limited to what is possible to do in such a short amount of
6 time. Defendants further object to this Request to the extent that it seeks information protected by
7 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
8 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
9 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
10 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
11 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
12 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
13 Defendants further object to this Request as vague and confusing, specifically the undefined
14 terms "creation, purpose, branding, and rebranding." Defendants further object to this Request to
15 the extent it seeks information not within Defendants' possession, custody, or control and not
16 kept by Defendants in the ordinary course of business. Defendants further object to this Request
17 insofar as it purports to require Defendants to search for information beyond that which is
18 available after a reasonable search as it relates to this case and the scope of discovery at this stage.
19 Defendants further object to this Request because it is not limited in time, and will produce
20 information from a reasonable time period as it relates to this case and the specific issues that are
21 the focus of this Request.

22 **REQUEST FOR PRODUCTION NO. 37:**

23 All DOCUMENTS and COMMUNICATIONS regarding the budgets, headcounts, and
24 financial resources provided to Threat Operations, SSG, SI, and MA.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

26 Defendants will produce responsive, non-privileged documents, to the extent they exist,
27 within the custody, possession, or control of Defendants located through a reasonably diligent
28 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient

1 to show the budgets, headcounts, and financial resources provided to Threat Operations, SSG, SI,
2 and MA, and the allocation of those resources by project or task over time.

3 Defendants object that they were provided only six business days to identify, collect, and
4 produce documents responsive to Waymo's forty broad document requests. Any production that
5 is made and all searches performed are limited to what is possible to do in such a short amount of
6 time. Defendants further object to this Request to the extent that it seeks information protected by
7 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
8 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
9 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
10 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
11 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
12 that have nothing to do with the allegations of trade secret misappropriation at issue in this case,
13 and includes no relevant time period. Defendants further object to this Request to the extent it
14 seeks information not within Defendants' possession, custody, or control and not kept by
15 Defendants in the ordinary course of business. Defendants further object to this Request insofar
16 as it purports to require Defendants to search for information beyond that which is available after
17 a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants
18 further object to this Request because it is not limited in time, and will produce information from
19 a reasonable time period as it relates to this case and the specific issues that are the focus of this
20 Request. The parties have agreed to limit this request as reflected in Defendants' response.

21 **REQUEST FOR PRODUCTION NO. 38:**

22 DOCUMENTS sufficient to identify the complete organizational structure of UBER'S
23 Threat Operations, SSG, SI, and MA divisions or teams from January 1, 2015 to present.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

25 Defendants will produce responsive, non-privileged documents, to the extent they exist,
26 within the custody, possession, or control of Defendants located through a reasonably diligent
27 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient
28

1 to identify the organizational structure of Uber's Threat Operations, SSG, SI, and MA divisions
2 or teams from January 1, 2015 to present.

3 Defendants object that they were provided only six business days to identify, collect, and
4 produce documents responsive to Waymo's forty broad document requests. Any production that
5 is made and all searches performed are limited to what is possible to do in such a short amount of
6 time. Defendants further object to this Request to the extent that it seeks information protected by
7 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
8 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
9 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
10 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
11 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
12 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.
13 Defendants further object to this Request as vague and confusing, specifically the undefined
14 terms "complete organizational structure." Defendants further object to this Request to the extent
15 it seeks information not within Defendants' possession, custody, or control and not kept by
16 Defendants in the ordinary course of business. Defendants further object to this Request insofar
17 as it purports to require Defendants to search for information beyond that which is available after
18 a reasonable search as it relates to this case and the scope of discovery at this stage.

19 **REQUEST FOR PRODUCTION NO. 39:**

20 All DOCUMENTS and COMMUNICATIONS REGARDING the statements made in
21 Tony West's and Dara Khosrowshahi's emails regarding subjects referenced in the JACOBS
22 LETTER (as reported at [https://www.recode.net/2017/11/30/16721676/uber-security-tony-](https://www.recode.net/2017/11/30/16721676/uber-security-tony-westdara-khosrowshahi-security-practices-alphabet)
23 [westdara-khosrowshahi-security-practices-alphabet](https://www.recode.net/2017/11/30/16721676/uber-security-tony-westdara-khosrowshahi-security-practices-alphabet)), including all statements related to the
24 JACOBS LETTER itself (including "there is more than enough there to merit serious concern")
25 and the statements that "we showed poor judgment in our approach to competitors and our use of
26 ephemeral communication for business purposes," "I'm learning about practices we followed
27 here in the past that are simply unacceptable," and "Another I've just learned about in the last
28

1 couple of days involves Uber security personnel engaging in the human surveillance of
2 individuals who work for competitors.”

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist,
5 within the custody, possession, or control of Defendants located through a reasonably diligent
6 search in view of the extraordinarily expedited schedule for supplemental discovery.

7 Defendants object that they were provided only six business days to identify, collect, and
8 produce documents responsive to Waymo’s forty broad document requests. Any production that
9 is made and all searches performed are limited to what is possible to do in such a short amount of
10 time. Defendants further object to this Request to the extent that it seeks information protected by
11 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
12 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
13 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and
14 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
15 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
16 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret
17 misappropriation at issue in this case. Defendants further object to this Request as vague and
18 confusing, specifically its use of the undefined phrase “all statements related to.” Defendants
19 further object to this Request to the extent it seeks information not within Defendants’ possession,
20 custody, or control and not kept by Defendants in the ordinary course of business. Defendants
21 further object to this Request insofar as it purports to require Defendants to search for information
22 beyond that which is available after a reasonable search as it relates to this case and the scope of
23 discovery at this stage. Defendants further object to this Request because it is not limited in time,
24 and will produce information from a reasonable time period as it relates to this case and the
25 specific issues that are the focus of this Request.

26 **REQUEST FOR PRODUCTION NO. 40:**

27 All DOCUMENTS AND COMMUNICATIONS REGARDING issues raised to the
28 “Hotline” referenced in Tony West’s November 29, 2017 email (as reported at

1 <https://www.recode.net/2017/11/30/16721676/uber-security-tony-west-dara->
2 [khosrowshahisecurity-practices-alphabet](https://www.recode.net/2017/11/30/16721676/uber-security-tony-west-dara-khosrowshahisecurity-practices-alphabet)) and that relate to the issues raised in the JACOBS
3 LETTER.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

5 After a reasonably diligent search in view of the extraordinarily expedited schedule for
6 supplemental discovery, Defendants respond that no other related complaints have been received
7 through the hotline.

8 Defendants object that they were provided only six business days to identify, collect, and
9 produce documents responsive to Waymo's forty broad document requests. Any production that
10 is made and all searches performed are limited to what is possible to do in such a short amount of
11 time. Defendants further object to this Request to the extent that it seeks information protected by
12 the attorney-client privilege or the work product doctrine or that is otherwise privileged or
13 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and
14 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and
15 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and
16 not proportional to the needs of the case to the extent that it seeks documents relating to subjects
17 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret
18 misappropriation at issue in this case. Defendants further object to this Request as vague and
19 confusing, specifically its use of the undefined phrase "relate to the issues." Defendants further
20 object to this Request to the extent it seeks information not within Defendants' possession,
21 custody, or control and not kept by Defendants in the ordinary course of business. Defendants
22 further object to this Request insofar as it purports to require Defendants to search for information
23 beyond that which is available after a reasonable search as it relates to this case and the scope of
24 discovery at this stage. Defendants further object to this Request because it is not limited in time,
25 and will produce information from a reasonable time period as it relates to this case and the
26 specific issues that are the focus of this Request.

1 Dated: December 10, 2017

MORRISON & FOERSTER LLP

2
3 By: /s/ Arturo J. González
4 ARTURO J. GONZÁLEZ

5 Attorneys for Defendants
6 UBER TECHNOLOGIES, INC.
7 and OTTOMOTTO LLC
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CERTIFICATE OF SERVICE

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 707 Wilshire Boulevard, Los Angeles CA 90017-3543. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on December 11, 2017, I served a true and correct copy of:

**DEFENDANTS UBER TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S OBJECTIONS AND RESPONSES TO
WAYMO'S REQUESTS FOR PRODUCTION RELATING
TO ISSUES IN JACOBS LETTER (NOS. 1-40)**

☒ **BY ELECTRONIC SERVICE [Fed. Rule Civ. Proc. rule 5(b)]** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system to the e-mail address(es) set forth below, or as stated on the attached service list per agreement in accordance with Federal Rules of Civil Procedure rule 5(b).

Recipient	Email Address:
Charles K. Verhoeven David A. Perlson Melissa Baily John Neukom Jordan Jaffe James D. Judah John W. McCauley Felipe Corredor Grant Margeson Andrew M. Holmes Jeff Nardinelli Lindsay Cooper QUINN EMANUEL URQUHART & SULLIVAN, LLP 50 California Street, 22nd Floor San Francisco, CA 94111-4788 <i>Attorneys for Plaintiff Waymo LLC</i>	gewaymo@quinnemanuel.com
John L. Cooper Farella Braun + Martel LLP Russ Building 235 Montgomery Street, 17th Floor San Francisco, CA 94104 <i>Special Master</i>	JCooper@fbm.com MCate@fbm.com

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed at Los Angeles, California, this 11th day of December, 2017.

3
4
5 Sylvia Rivera
(typed)

/s/ Sylvia Rivera
(signature)